

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

In the Matter)	Civil No. CV03-00672SOM
)	(Non-Vehicle Tort)
Of)	
)	
The Complaint of MORNING STAR)	
CRUISES, INC., a Hawaii)	
corporation.)	
_____ SHIROH FUKUOKA,)	Civil No. 04-00588 SOM-BMK
)	(Consolidated)
Plaintiff,)	
)	DECLARATION OF ROBERT D.
Vs.)	KAWAMURA
)	
MORNING STAR CRUISES, INC.,)	
)	
Defendant.)	
_____)	

DECLARATION OF ROBERT D. KAWAMURA

ROBERT D. KAWAMURA, declares under penalty of perjury that the following is true and correct;

1. He makes this declaration based upon his own personal knowledge and is competent to testify as to the matters set forth herein.

2. He is counsel for Plaintiff/Limitation Defendants SHIROH FUKUOKA, Individually and as Personal Representative of THE ESTATE OF MITSUKO FUKUOKA, and as Next Friend Of MIHO FUKUOKA, a Minor, in this case.

3. Limitation Plaintiff filed this motion on July 12, 2006, the same day in which Limitation Defendants provided their discovery responses and responsive documents to Limitation Plaintiff. Moreover, it is Limitation Plaintiff that has failed to answer the discovery requests of Limitation Defendants. Since receiving the responses on July 12, 2006, Limitation Plaintiff has not asked for additional responses, clarifications or for other information.

Dated: Honolulu, Hawaii, August 3, 2006.


Robert D. Kawamura